1/25/72 CONFIDENTIAL tm mf, ph, hr, jp only

you may or may not share the apprehension i have long had about the potential of the "release" of th contracted jfk materials. they go back a year, as some of you know, and i grew concerned all over again as i got into the new lasr part of pm. i regret that to date i have been right because it gives me confidence in the second step in this campaign, of which i have known for 3 weeks. i have not made up my mind what the one-shot treatment of lattimer will do to this, but i think the best chance is that it will drive them to try more, beginning with what i expect. the gives me the traditional horns, a dilemma. sorry i have to avoid using the left hand, which slows me up.

the first thing i did on learning what was afoot, before lattimer saw anything, was wtite four letters to th archives, two of appeal, plus others. as a result i forced their hand and in an effort to protect themselves they have had to disclose officially the means by which they are conniving. i have it in my possession. because of what i knew, they had to make me a meaningless offer. believe it or not, of access. of course, marshall would nix. believing that the more tesponsible of us shoul-must-avoid this right now, i ignored that and asked for the responses not m de and demanded access to the clothing. there are now a couple of ways in which i can get this back in court. i mayhave a mess to try and clean up. if marshall had been smarter, it wluld have been worse, because now they have to worry about anyone disagreeing with lattimer, which at some point will become inevitable. bus and jim are to come this weekend and this is among the things on the genda. jim and i have had a little talk of it earlier. i think a suit fot damages now is not impossible, too.

meanwhile, and i emphasize the urgent needvfor confidentiality an no talk, the mechanism involved is an unanounced change in one regulation which, eventually, i will supply. this is to make it appear that everything in on the up-and-up, but its real purpose is to permit one reporter exclusive access with a pathologist marshall has already agreed to recognize. remember, stict confidence. this was all arr nged <u>before</u> lattimer. I knew before lattimer saw anything, as i also knew he alone would first see.

now, the new change in the regulations is, i think, pretty clear third-time proof of perjury by rhoads. i have had no response from the judge in that case and i expected none, but i did make a record. inagine, again, not even pro forma denial. i asked rhoads about this again today. if you cannot see why i think coll teral approaches are not now the only ones not fraught with danger, i will not argue it but i will depend upon your complete silence, as asked. for one thing. they made a bad mistake with lattimer and there is a good one that they will duplicate, no matter what they do. it is now better for us for them to make all the mistakes they can. to help with this, i have several reporter friends prepared for when it happens. and on tjis, as of today, lattimer has retreated so far that he is not returning repeated calls from the press, with repeated messages that did reach. i don't thinl this is because l. is happy or looking for ant more attention and i do not think it is because of a condition imposed in advance.

so, while it may look bad, i think it is not and will not be if we can avoid the possible if not probable mistakes some of us are trying for. there are other openings we may have, but my participation will depend on the thencurrent conditions and what is not within my control. i would encourage you not to despair and to believe with me that if no critic, responsible or irresponsible, and we have both, with the line very thin if even real at this juncture, gets access, we willwind up in better shape than we have been. if wel also are careful and a bit lucky. in that order, the second being less likely without the first....i continue to do what i can, which now is pretty much restricted to making a record which can in time, be of value for more than history. as i can and to the degree I can, i will try and keep you informed, but the first breach of confidence will end all willingness. this is a very delicate period. sorry about theworse typing, but i am having a slight problem with that thumb. best, harold